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**FILED**

FEBRUARY 10, 2006

**NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS**

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF MEDICAL EXAMINERS

IN THE MATTER OF THE LICENSE  
ISSUED TO:

**JOHN PAYNE, D.O.**  
**License No. MB 38343**

TO PRACTICE MEDICINE AND SURGERY  
IN THE STATE OF NEW JERSEY

Administrative Action

**INTERIM CONSENT ORDER**

This matter was opened to the New Jersey State Board of Medical Examiners ("Board") upon receipt of a Final Order entered on October 7, 2005 by the Texas Medical Board ("Texas Board") revoking Respondent's Texas medical license. Pursuant to N.J.S.A. 45:9-19.16, Respondent has submitted to the Board notification of the disciplinary action taken by the Texas Board and he has indicated his intention to file a motion for a rehearing and if that is unsuccessful, an appeal through the Texas District Court. It has been confirmed through Respondent's counsel and the Texas Board that Respondent's motion for a rehearing was denied by the Texas Board

**CERTIFIED TRUE COPY**

on November 14, 2005 and the matter is currently on appeal in the Texas District Court.

Respondent, through counsel, has represented to this Board that at the present time he is not engaged in the practice of medicine in the State of New Jersey. The Board and Respondent seek to resolve this matter without resort to further proceedings, and recognizing that Respondent agrees not to practice medicine in New Jersey until further order of this Board, and the Board finding the within Order is sufficiently protective of the public interest and for good cause shown,

IT IS ON THIS 10TH DAY OF FEBRUARY, 2006, ORDERED THAT:

1. Effective immediately and until further order of the Board, Respondent voluntarily agrees to, and shall cease and desist the practice of medicine in the State of New Jersey until resolution of all pending matters filed by the Texas Medical Board.

2. Respondent's original New Jersey license and current biennial registration shall be held in escrow by David Townend, Esq., during the period this Order is in effect.

3. After all matters pending before the Texas Medical Board have been resolved, Respondent shall immediately provide to the Board copies of and all orders pertaining to the status of Respondent's license to practice medicine in the State of Texas. The Board reserves the right to finalize this matter based on any disciplinary action taken by the Texas Medical Board pursuant to N.J.S.A. 45:1-21(g) or to take other action based on the facts as

presented, and to require Respondent to appear before a committee of the Board to demonstrate full satisfaction of this Order.

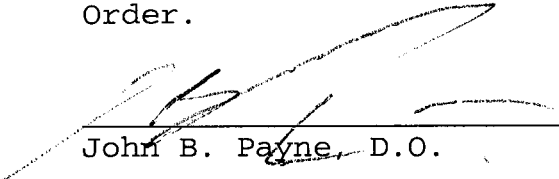
4. The Board may at any time hereafter exercise any authority conferred by law.

NEW JERSEY BOARD OF MEDICAL EXAMINERS

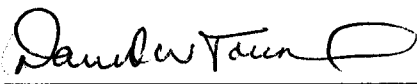
*Sindy M. Paul, MD, MPH*

By: \_\_\_\_\_  
Sindy Paul, M.D.  
Board President

I have read and understand the terms of the within Order and agree to be bound by the terms of this Order. I hereby give my consent to the entry of this Order.

  
\_\_\_\_\_  
John B. Payne D.O.

Consent as to the form of this Order is given

  
\_\_\_\_\_  
David Townend, Esq.